

PTO-1390 (Rev. 07-2004)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 129402.00201
		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/511657
INTERNATIONAL APPLICATION NO. PCT/EP03/04003	INTERNATIONAL FILING DATE 16 April 2003	PRIORITY DATE CLAIMED 18 April 2002 (18.04.2002) 05 December 2002 (05.12.2002)
TITLE OF INVENTION Means and Methods for the Specific Modulation of Target Genes in the CNS and the Eye and Methods for their Identification		
APPLICANT(S) FOR DO/EO/US Karina Drumm, Stefan Hubert Schlör and Frank Göhring		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made, however, the time limit for making such amendments has NOT expired.</p> <p>d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Certificate of Mailing; Postcard</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (an by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; margin-top: 5px;">10/511657</div>	INTERNATIONAL APPLICATION NO. PCT/EP03/04003	ATTORNEY'S DOCKET NUMBER 129402.00201																																																																							
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO\$1110.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$950.00 International preliminary examination fee (37 CFR 1.482 not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO\$790.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)\$750.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00 <div style="text-align: right; margin-top: 10px;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">CALCULATIONS</th> <th style="text-align: left;">PTO USE ONLY</th> </tr> <tr> <td colspan="2" style="height: 150px;"></td> </tr> <tr> <td style="text-align: right;">\$950.00</td> <td></td> </tr> <tr> <td colspan="2">Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</td> </tr> <tr> <td style="text-align: right;">\$130.00</td> <td></td> </tr> <tr> <td> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> <th style="width:20%;"></th> <th style="width:20%;"></th> </tr> <tr> <td>Total claims</td> <td>90-20 =</td> <td>70</td> <td>X \$18.00</td> <td>\$1260.00</td> <td></td> </tr> <tr> <td>Independent claims</td> <td>2-3 =</td> <td>0</td> <td>X \$88.00</td> <td>\$0.00</td> <td></td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+</td> <td>\$300.00</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$2640.00</td> <td></td> </tr> </table> </td> <td></td> </tr> <tr> <td colspan="2"><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 1.27. The fees indicated above are reduced by 1/2.</td> <td>\$1320.00</td> <td></td> </tr> <tr> <td colspan="2" style="text-align: right;">SUBTOTAL =</td> <td>\$1320.00</td> <td></td> </tr> <tr> <td colspan="2">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2" style="text-align: right;">TOTAL NATIONAL FEE =</td> <td>\$1320.00</td> <td></td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="2"></td> <td>Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be charged:</td> <td>\$</td> </tr> </table>		CALCULATIONS	PTO USE ONLY			\$950.00		Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> <th style="width:20%;"></th> <th style="width:20%;"></th> </tr> <tr> <td>Total claims</td> <td>90-20 =</td> <td>70</td> <td>X \$18.00</td> <td>\$1260.00</td> <td></td> </tr> <tr> <td>Independent claims</td> <td>2-3 =</td> <td>0</td> <td>X \$88.00</td> <td>\$0.00</td> <td></td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+</td> <td>\$300.00</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$2640.00</td> <td></td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	90-20 =	70	X \$18.00	\$1260.00		Independent claims	2-3 =	0	X \$88.00	\$0.00		MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+	\$300.00	TOTAL OF ABOVE CALCULATIONS =				\$2640.00			<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 1.27. The fees indicated above are reduced by 1/2.		\$1320.00		SUBTOTAL =		\$1320.00		Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$		TOTAL NATIONAL FEE =		\$1320.00		Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		\$				Amount to be refunded:	\$			Amount to be charged:	\$
CALCULATIONS	PTO USE ONLY																																																																								
\$950.00																																																																									
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).																																																																									
\$130.00																																																																									
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> <th style="width:20%;"></th> <th style="width:20%;"></th> </tr> <tr> <td>Total claims</td> <td>90-20 =</td> <td>70</td> <td>X \$18.00</td> <td>\$1260.00</td> <td></td> </tr> <tr> <td>Independent claims</td> <td>2-3 =</td> <td>0</td> <td>X \$88.00</td> <td>\$0.00</td> <td></td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+</td> <td>\$300.00</td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$2640.00</td> <td></td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	90-20 =	70	X \$18.00	\$1260.00		Independent claims	2-3 =	0	X \$88.00	\$0.00		MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+	\$300.00	TOTAL OF ABOVE CALCULATIONS =				\$2640.00																																												
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																																																																						
Total claims	90-20 =	70	X \$18.00	\$1260.00																																																																					
Independent claims	2-3 =	0	X \$88.00	\$0.00																																																																					
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+	\$300.00																																																																				
TOTAL OF ABOVE CALCULATIONS =				\$2640.00																																																																					
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 1.27. The fees indicated above are reduced by 1/2.		\$1320.00																																																																							
SUBTOTAL =		\$1320.00																																																																							
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$																																																																							
TOTAL NATIONAL FEE =		\$1320.00																																																																							
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		\$																																																																							
		Amount to be refunded:	\$																																																																						
		Amount to be charged:	\$																																																																						
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1320.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0436</u> <i>A duplicate copy of this sheet is enclosed.</i> d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. SEND ALL CORRESPONDENCE TO: Pepper Hamilton LLP 500 Grant Street, 50 th Floor Pittsburgh, PA 15219 Telephone: (412) 454-5000 Facsimile: (412) 281-0717																																																																									
		<div style="text-align: center;"> SIGNATURE Raymond A. Miller NAME 42,891 REGISTRATION NUMBER </div>																																																																							

Mar. 8. 2005 11:03AM

per hamilton

Attorney Ref.: 129402.00201

RECEIVED
CENTRAL FAX CENTER

No. 6276 P. 18/18

MAR 08 2005

CERTIFICATE OF FACSIMILE UNDER 37 C.F.R. §1.6 & §1.8

In re Application of

Drumm et al.

Serial No.: 10/511,657

Group Art Unit: not yet assigned

International Filing Date: October 18, 2004 :

Examiner: not yet assigned

Title: MEANS AND METHODS FOR THE SPECIFIC MODULATION OF TARGET
GENES IN THE CNS AND THE EYE AND METHODS FOR THEIR
IDENTIFICATION

I hereby certify that this "AMENDMENT AND RESPONSE TO OFFICE ACTION" and is
being sent via facsimile to fax number 703-872-9306 under 37 C.F.R. §1.6 & §1.8 on March 8,
2005.

Kathleen Pujol

(Typed/printed name of person mailing paper or fee)

Kath Pujol

(Signature of person mailing paper or fee)

Mar. 8. 2005 10:58AM

Pepper Hamilton

RECEIVED
CENTRAL FAX CENTER

No. 6276 P. 1/18

Pepper Hamilton LLP

Attorneys at Law

50th Floor
500 Grant Street
Pittsburgh, PA 15219-2502
412.454.5000
Fax 412.281.0717
www.pepperlaw.com

MAR 0 8 2005

Rec'd PCT 18 OCT 2004
FAX INFORMATION SHEET

Date: March 8, 2005
ID Number: 61297
Identifier: 129402.00201

<u>Recipient's Name</u>	<u>Company</u>	<u>General Number</u>	<u>Fax Number</u>
USPTO			703-872-9306

Sender: Raymond A. Miller
Sender's Direct Line: 412.454.5017
Sender's Email Address: millerra@pepperlaw.com

Total Pages Including Cover:

Comments: ATTACHED IS A PRELIMINARY AMENDMENT SERIAL NO. 10/511,657

An original or a copy has ☐ or has not ☒ been sent to you by mail ☐ or by overnight service ☐ or by email ☐.

◆ ◆ If total pages are not received, or an error occurred during this transmission,
please call the sender at the direct line listed above. ◆ ◆

◆ ◆ CONFIDENTIALITY NOTE ◆ ◆

The documents accompanying this facsimile transmission contain information from the law firm of Pepper Hamilton LLP which is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited, and that the documents should be returned to this Firm immediately. In this regard, if you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us at no cost to you.

Operator's Use Only

Start Time: : am [] pm [] End Time: : am [] pm []

Operator:

Coversheet Page 1 of 1

PAGE 1/18 * RCVD AT 3/8/2005 11:01:20 AM [Eastern Standard Time] * SVR:USPTO-EFAXRF-1/2 * DNIS:8729306 * CSID:412 454 5000 * DURATION (mm-ss):05-22